

Table of Contents

	<u>Page</u>
121 CMR 1.000: FAIR HEARINGS	5
Section 1.100: Authority and Scope	5
Section 1.110: General Description of the Fair Hearing Process	6
Section 1.120: Definitions	6
Section 1.200: Appointment of Hearing Officer	6
Section 1.210: Powers and Duties of the Hearing Officer	6
Section 1.300: Rights of the Appellant	6
Section 1.310: Authorized Representative	8
Section 1.320: Auxiliary Aids and Interpreter Assistance for the Appellant	8
Section 1.330: Case Management Agency Rights and Responsibilities	8
Section 1.400: Notification of the Right to Request a Hearing	8
Section 1.405: Time Limits for Requesting a Hearing	9
Section 1.410: Continuation of Benefits Pending Appeal	9
Section 1.415: Grounds for Appeal	9
Section 1.420: Dismissal of Request for a Hearing	10
Section 1.425: Adjustment Procedures	10
Section 1.430: Submission without a Hearing	10
Section 1.500: Notification of Hearing	10
Section 1.510: Scheduling	11
Section 1.520: Procedures and Requirements for Rescheduling	11
Section 1.530: Dismissal for Failure to Prosecute	11
Section 1.540: Procedures for Vacating a Dismissal	11
Section 1.600: Discovery	12
Section 1.605: Subpoenas	12
Section 1.610: Evidence	12
Section 1.615: Hearing Involving Medical Issues	13
Section 1.620: Consolidated Hearings	13
Section 1.625: Interim Orders	13
Section 1.630: Continuance	13
Section 1.635: Reopening Prior to Decision	14
Section 1.640: The Record	14
Section 1.700: Time Limits for Making a Decision	14
Section 1.710: Basis of Fair Hearing Decision	14
Section 1.720: Content of Decision	15
Section 1.730: Transmittal of Decision	15
Section 1.740: Finality of the Appeal Decision	15
Section 1.750: Implementation of the Appeal Decision	15
Section 1.800: Judicial Review	15
Section 1.810: Access to the Record	16
Section 1.820: Compilation of Fair Hearing Decisions	16
121 CMR 2.000: MASSACHUSETTS REFUGEE RESETTLEMENT PROGRAM	31
Section 2.050: The Office for Refugees and Immigrants: Purpose and Authority	32
Section 2.100: Massachusetts Refugee Resettlement Program: Purpose and Authority	32
Section 2.110: Administration and Overview of the Massachusetts Refugee Resettlement Program	32
Section 2.120: Basic Requirements	33
Section 2.130: Definitions	33

Table of Contents

	<u>Page</u>
121 CMR 2.000: MASSACHUSETTS REFUGEE RESETTLEMENT PROGRAM (continued)	
Section 2.200: Rights of Refugees	37
Section 2.210: Right to Non-discrimination and Equal Treatment	37
Section 2.220: Right to Confidentiality	37
Section 2.230: Right to Information	37
Section 2.240: Right to a Fair Hearing	37
Section 2.250: Right to Representation	37
Section 2.260: Right to Linguistically Appropriate Services	38
Section 2.300: Responsibilities of Refugees	38
Section 2.310: Responsibility for Providing Verification	38
Section 2.320: Responsibility for Notification of Changes	39
Section 2.330: Responsibility for Furnishing Information	39
Section 2.340: Responsibility for Cooperating in the Eligibility Determination Process	39
Section 2.400: Non-Financial Eligibility Requirements and Disqualifying Factors for MRRP	39
Section 2.410: Residence	39
Section 2.420: Refugee Status	39
Section 2.430: Time-limited Eligibility	40
Section 2.440: Participate in Employment Services and Not Have Refused an Offer of Employment nor Voluntarily Terminated Employment	40
Section 2.450: Supplemental Security Income (SSI) Eligibility	41
Section 2.460: Transitional Aid to Families with Dependent Children (TAFDC) Eligibility	41
Section 2.470: Medicaid Eligibility (referred to as MassHealth in Massachusetts)	42
Section 2.480: Student in Institution of Higher Education	42
Section 2.490: Unaccompanied Refugee Minor	42
Section 2.500: Financial Eligibility Requirements and Grant Amounts for Refugee Cash Assistance	42
Section 2.505: Determination of Financial Eligibility and Refugee Cash Assistance	42
Section 2.510: Assistance Unit	43
Section 2.515: Filing Unit	43
Section 2.520: Income in General	43
Section 2.525: Types of Countable Income	43
Section 2.530: Non-countable Income	44
Section 2.535: Deductions from Earned Income	45
Section 2.540: Verification and Determination of Income	47
Section 2.545: Failure To Cooperate	47
Section 2.550: Determination of Financial Eligibility and Calculation of the Grant Amount	47
Section 2.555: Standard of Assistance Table	48
Section 2.560: Guide for Income-in-kind	48
Section 2.565: Frequency of Grant Payments	48
Section 2.600: Determination of Initial and Continuing Eligibility	48
Section 2.605: Assignment of Case Management Agencies	49
Section 2.610: The Application	49
Section 2.615: Filing of Application	49
Section 2.620: Application Activities	50
Section 2.625: Methods of Verification	51
Section 2.630: Concluding the Application Process	52
Section 2.635: Dates Refugee Cash Assistance and Refugee Medical Assistance Begin	52
Section 2.640: Reapplication	52
Section 2.645: Case Review	53
Section 2.650: Frequency of Verification	53
Section 2.655: End of Time-eligibility Period	53
Section 2.660: Notice	53
Section 2.665: Notification of the Right to Request a Hearing	54
Section 2.670: Time Limits for Requesting a Hearing	54
Section 2.675: Continuation of Benefits Pending Appeal	55

Table of Contents

	<u>Page</u>
121 CMR 2.000: MASSACHUSETTS REFUGEE RESETTLEMENT PROGRAM (continued)	
Section 2.700: Employment Services	55
Section 2.705: Pre-and Post-Placement Services	55
Section 2.710: Support Services	56
Section 2.711: Refugee Cash Assistance and Refugee Medical Assistance	56
Section 2.712: Early Employment Incentive	56
Section 2.713: Child Care Expense Reimbursement	56
Section 2.714: Transportation Expense Reimbursement	57
Section 2.715: Participation in Employment Services	57
Section 2.720: Participation Requirements	57
Section 2.725: Exemptions from Participation	58
Section 2.730: Good Cause for Failure to Cooperate, Failure to Participate, or Terminating or Refusing Employment or Employment Services	59
Section 2.800: Noncompliance	60
Section 2.805: Conciliation	60
Section 2.810: Sanctions	61
Section 2.815: Written Procedures	61
121 CMR 3.000: AUXILIARY ACTIVITIES	75
Section 3.050: Overview of Auxiliary Activities	75
Section 3.100: Complaints	75
Section 3.150: Inquiries	75
Section 3.200: Overpayments and Underpayments	76
Section 3.210: Correction of Overpayments and Underpayments	76
Section 3.220: Recovery from Current Participants	76
Section 3.230: Recovery from Previous Participants	77
Section 3.240: Intentional Withholding of Information or Misrepresentation	77
Section 3.300: Prevention of False or Erroneous Representation	77
Section 3.400: Lost and Stolen Checks	77
Section 3.410: Authorization of a Replacement Check	77
Section 3.420: Issuance of a Replacement Check	77
Section 3.500: Quality Control	78
121 CMR 4.000: CRIMINAL OFFENDER RECORD CHECKS	79
Section 4.100: Purpose	79
Section 4.110: Policy	79
Section 4.115: Scope	79
Section 4.120: Definitions	79
Section 4.125: Applicant Disclosure of Criminal Record Information	81
Section 4.130: Community Service and Work Release Workers	82
Section 4.135: Hiring Authority Responsibilities	82
Section 4.140: CORI Investigations	82
Section 4.145: Findings from CORI Investigations	82
Section 4.150: Disqualifications	83
Section 4.155: Provisions for Review of a Candidate in any Discretionary Disqualification Category	83
Section 4.160: Exemption from Certain Requirements	84
Section 4.165: Dissemination	85
Section 4.175: Incidents	85
Section 4.180: Severability	85
Section 4.185: Table of Offenses	85

Table of Contents

	<u>Page</u>
121 CMR 4.000: CRIMINAL OFFENDER RECORD CHECKS (continued)	
Section 4.200: Mandatory Disqualifications	85
Section 4.210: Ten Year Presumptive Disqualifications	86
Section 4.220: Five Year Presumptive Disqualifications	87
Section 4.230: Discretionary Disqualifications	88
Section 4.240: Offenses Included	90

NON-TEXT PAGE